

Remarks

Claims 1, 11, 12, 21-27, 29, 30 have been amended, claims 8, 17 and 28 have been canceled. Reconsideration and allowance of the pending claims are respectfully requested.

Allowed And Allowable Claims

Applicant gratefully acknowledges that claims 8, 9, 16, 17, 28 and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has rewritten claims 8, 17, and 28 in independent form including all of the limitations of the base claim and any intervening claims. Applicant's intention is to merely place claims 8, 17 and 28 in independent form and not to narrow the scope of such claim beyond the scope as originally filed.

Claim Objections

The Office Action objected claim 12 because of incorrect dependency. Applicant has amended claim 12 to depend on claim 11 and withdrawal of the current objection is respectfully requested.

Claim Rejections under 35 USC 101

Claims 11-20 rejections

The Office Action rejected claims 11-20 under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. In order to overcome the above, as suggested by the Examiner, Applicant has included “policy maker logic” used in “defining a deader compression policy” in claim 11. Applicant respectfully requests reconsideration and withdrawal of the present rejection.

Claims 21-30 rejections

The Office Action rejected claims 21-30 because the claimed invention is directed to non-statutory subject matter. Applicant has amended the subject matter of each of claims 21-30 into “computer-readable storage medium”, which would cover tangible embodiments as disclosed in the specification as well as other tangible embodiments that are apparent to a skilled person. Applicant respectfully requests reconsideration and withdrawal of the present rejection.

Claims Rejections Under 35 U.S.C. 103

The Office Action rejects claims 1-7, 10-15, 18-27 and 30 under 35. U.S.C. 103 (b) as being unpatentable over Kim et al (“Kim”), US 2005/0100051, in view of Plamondon et al. (“Plamondon”), US 2007/0206621.

Applicant has amended claims, 1, 11, and 21 to include the allowable claims 8, 17 and 28 as a base claim. Applicant respectfully requests the rejection of claims 1-7, 10-15, 18-27 and 30 be withdrawn.

Conclusion

The foregoing is submitted as a full and complete response to the Official Action. Applicant submits that the application is in condition for allowance. Reconsideration is requested, and allowance of the pending claims is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.16 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account #02-2666. If the Examiner believes that there are any informalities, which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (503) 439-8778 is respectfully solicited.

Respectfully submitted,

Date: February 24, 2010

/Gregory D. Caldwell/
Gregory D. Caldwell
Reg. No. 39,926

Blakely, Sokoloff, Taylor & Zafman, LLP
1279 Oakmead Parkway,
Sunnyvale, CA 94085-4040
(503) 439-8778